

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

ROY LEE MARSHALL, ET AL.

PLAINTIFFS

vs.

CASE NO. **3:04CV00249GH**

CITY OF OSCEOLA

DEFENDANT

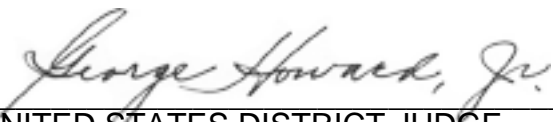
ORDER

On March 8, 2007, the Court entered an Order changing the trial from Jonesboro to Little Rock. Defendant objects, noting that most of the parties' witnesses reside in either Osceola or Jonesboro. Defendant contends that moving the trial to Little Rock will increase the costs of this litigation. Plaintiffs do not object to the change of venue. They contend that Little Rock would provide a "more neutral site" for the trial as many of defendant's witnesses are city officials and well-known citizens of Osceola and Jonesboro.

Divisional venue has been abolished. Therefore, venue is proper in the Eastern District of Arkansas. While there may be some higher costs with having witnesses travel from Osceola or Jonesboro to Little Rock, the Court is not persuaded that the costs are exorbitant, particularly when compared to the costs associated with Court personnel traveling to Jonesboro for a lengthy trial. Furthermore, the courtroom in Jonesboro is not available for a two week trial, as is anticipated by the parties.

The trial will proceed as scheduled in Little Rock and the objection is denied.

IT IS SO ORDERED this 22nd day of March, 2007.



UNITED STATES DISTRICT JUDGE